

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA

v.

TERESA A. KELLY,

Defendant.

Case No. 1:11CR119

Honorable Leonie M. Brinkema

Sentencing Date: June 17, 2011

MOTION FOR MODIFICATION OF JUDGMENT

COMES NOW TERESA A. KELLY by and through undersigned counsel and respectfully requests the Court to consider a modification of Special Condition #6 of the Judgment entered by this Honorable Court on June 17, 2011. In support of said motion it is submitted:

1. Special Condition #6 requires: "The Defendant shall make a good-faith effort to pay her full restitution obligation during supervised release, to begin 60 days after release from custody, until paid in full. The Defendant shall pay restitution jointly and severally with co-defendants."

2. The Defendant is currently serving a 9 month period of home confinement following her release from custody.

3. Since the commencement of home confinement the Defendant, with approval of the United States Probation office, has been pursuing her A.S. Degree in Paralegal Studies from Valencia College, Orlando, Florida. This program is approved by the American Bar Association and requires a total of 64 credit hours. The Defendant's anticipated graduation date is April, 2013.

4. The Defendant is a full time student at Valencia College and therefore not currently employed.

5. Undersigned counsel has spoken with Assistant United States Attorney Charles Connolly regarding the issue of the commencement of restitution payments and he has no objection to the Court modifying special condition #6 so that restitution payments commence after she becomes gainfully employed.

WHEREFORE, the Defendant respectfully requests this Court to modify Special Condition #6 of the Judgment entered by this Honorable Court, June 17, 2011, allowing restitution to commence upon the Defendant obtaining employment.

/s/ Robert A. Leventhal

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been furnished by U.S. Mail this 22th day of March, 2012 to:

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